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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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**Ronald Sklansky**  
*Clearinghouse Director*

**Richard Sweet**  
*Clearinghouse Assistant Director*

**Terry C. Anderson**  
*Legislative Council Director*

**Laura D. Rose**  
*Legislative Council Deputy Director*

### CLEARINGHOUSE RULE 06-073

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated January 2005.]**

#### **2. Form, Style and Placement in Administrative Code**

- a. The rule preface should refer to the items listed in s. 1.02 (2) (a) 4. and 9., Manual.
- b. In s. DWD 129.01 (2) (b) (intro.), “considers” should be changed to “may consider” or “shall consider.” Also, “one of” should be inserted after “with.” Finally, the word “timely” should be deleted. [See s. 1.01 (9) (b) of the Manual.]
- c. In s. DWD 129.01 (2) (b), the first two sentences of subd. 1. do not grammatically lead into following subunits. Thus, this material should be renumbered as subpar. a. and subpars. a. and b. should be renumbered accordingly.
- d. The entire rule should be reviewed for conformance to proper use of “may” and “shall.” For example, in s. DWD 129.01 (2) (b) 1., “must” should be changed to “shall;” in s. DWD 129.01 (2) (b) 1. a., “will” should be changed to “shall” or “may;” and in s. DWD 129.01 (2) (c), “could” should be changed to “may.” See s. 1.01 (2) of the Manual.
- e. In s. DWD 129.01 (2) (c), “becomes” should be changed to “shall become” or “may become.” Also, the phrase “under par. (b) 1. or 2.,” should be added before the period.
- f. In s. DWD 129.01 (4) (intro.), “all of” should be inserted before “the following.”

#### **5. Clarity, Grammar, Punctuation and Use of Plain Language**

- a. In the first sentence of the explanation of agency authority section of the analysis, “employment” should be changed to “unemployment.”

b. Section DWD 129.01 (2) (b) 1. provides that if a claimant is not notified at the end of a telephone transaction or at the end of an Internet transaction that the weekly certification has been accepted, certification is not filed. How would the claimant understand this consequence? Will the rule provision be recited on the telephone or placed on the website?

c. In s. DWD 129.01 (2) (b) 2., “Postal Service” should be changed to lowercase.